

Congress of the United States
Washington, DC 20515

December 5, 2011

1663

The Honorable Julius Genachowski
Chairman
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: Dockets CC 96-128 and WT 09-144

Dear Chairman Genachowski:

We are writing with regard to the Federal Communications Commission's (FCC) consideration of two matters pertaining to inmate telecommunications service.


We believe that security and public safety should be the primary focus of any telecommunications plan for prisons. We have recently been made aware that several companies are operating across the country to divert calls to unregistered numbers, or numbers for which no individual is the registered user, that prison phone systems cannot detect or record. We understand that these entities pose a threat to security because they prevent correctional authorities from knowing the persons whom inmates call. The ability of correctional authorities to monitor and restrict inmate telephone calls is of paramount importance to prison security and public safety, and entities that knowingly circumvent these safety measures should not be permitted or enabled to operate.

Secondly, it is our understanding that the FCC is reviewing the rates associated with inmate telephone calls. This review is in part a response to a petition filed by a group of individuals who are pursuing federal claims against providers of inmate telecommunications service. The petition asks the FCC to set nationwide rates for inmate calls.

We ask the Commission to remain cognizant of the costs that inmate telecommunications providers incur in order to make these services available. Often, those costs include site commissions that correctional authorities collect in order to obtain necessary operating revenue, and in some cases those site commissions are mandated by state statute. We believe that the FCC should weigh these additional factors carefully when considering a nationwide rate.

Thank you for your kind attention to these concerns. Please do not hesitate to contact us should you need any further information.

Sincerely,


Pete Sessions
Member of Congress


Kenny Marchant
Member of Congress



FEDERAL COMMUNICATIONS COMMISSION

April 25, 2012

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable Pete Sessions
U.S. House of Representatives
2233 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Sessions:

Thank you for your letter regarding inmate calling services and the related rulemaking proceeding pending before the Commission. I value your comments on these interrelated issues and will ensure that your letter is included in the proceeding records.

The Securus Petition involves a service marketed for a monthly fee to inmate families. An inmate's family subscribing to that service receives a phone number local to the prison. When the inmate calls the local number, the service uses a Voice over Internet Protocol (VoIP) router to route the call from the local number to the family's home number even if it is outside the local calling area. By using this methodology, inmate families pay the set-up charge for the call and any charges for a local call, and do not incur long distance charges. The Securus Petition requests the Commission to rule that these services are a call diversion scheme, which Securus is entitled to block pursuant to Commission precedent.

In addition to the Securus Petition, as you note, the Commission is considering a petition filed by a group of inmate families, referred to as the Wright Petition, arguing that the current rates for interstate inmate services are not just and reasonable. The Wright Petitioners suggest that the Commission establish a benchmark rate for domestic interstate interexchange inmate debit calling service of \$0.20 per minute and a benchmark rate for domestic interstate interexchange inmate collect calling service of \$0.25 per minute, with no set-up or other per-call charge.

Both Petitions raise complex factual questions and legal issues that, as you suggest, may have security implications for the public. Commission staff is reviewing the record that has been compiled and has been meeting with interested parties to obtain a better understanding of the information submitted to the Commission.

I appreciate your interest in this matter. Please do not hesitate to contact me if I may be of further assistance.

Sincerely,



Julius Genachowski



FEDERAL COMMUNICATIONS COMMISSION

April 25, 2012

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable Kenny Marchant
U.S. House of Representatives
1110 Longworth House Office Building
Washington, D.C. 20515

Dear Congressman Marchant:

Thank you for your letter regarding inmate calling services and the related rulemaking proceeding pending before the Commission. I value your comments on these interrelated issues and will ensure that your letter is included in the proceeding records.

The Securus Petition involves a service marketed for a monthly fee to inmate families. An inmate's family subscribing to that service receives a phone number local to the prison. When the inmate calls the local number, the service uses a Voice over Internet Protocol (VoIP) router to route the call from the local number to the family's home number even if it is outside the local calling area. By using this methodology, inmate families pay the set-up charge for the call and any charges for a local call, and do not incur long distance charges. The Securus Petition requests the Commission to rule that these services are a call diversion scheme, which Securus is entitled to block pursuant to Commission precedent.

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Julius Genachowski